

March 13 and March 26 supplements amending the March 9 petition are on file with the Commission and open to public inspection.

GMC filed the March 9 petition pursuant to section 502(c) of the Natural Gas Policy Act of 1978, in response to the Commission's September 10, 1997, order in Docket No. RP97-369-000 *et al.*² on remand from the D.C. Circuit Court of appeals,³ which directed first sellers to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988.

The Commission also issued a January 28, 1998 order in Docket No. RP98-39-001, *et al.* (January 28 Order),⁴ clarifying the refund procedures, stating that producers could request additional time to establish the uncollectability of royalty refunds, and that first sellers may file requests for NGPA section 502(c) adjustment relief from the refund requirement and the timing and procedures for implementing the refunds, based on the individual circumstances applicable to each first seller. Pursuant to that order, GMC's March 9 petition requested the Commission: (1) to authorize a 90-day extension of the Commission's March 9, 1998 refund deadline, to allow GMC resolve any disputes with Northern over Applicants' refund liability or, if necessary, to file a dispute resolution request with the Commission; (2) to grant Applicants a 1-year deferral (i.e. to March 9, 1999) on the payment of principal and interest attributable to royalties; and (3) to allow Applicants to escrow (a) amounts that remain in dispute (b) principal and interest amounts attributable to royalty refunds which have not been collected from the royalty owners, (c) principal and interest on amounts attributable to production prior to October 4, 1983, (d) interest on royalty amounts that have been recovered from the royalty owners (where the principal has been refunded), and (e) interest on all reimbursed principal amounts determined to be refundable as being in excess of maximum lawful prices, excluding interest retained under (b), (c), and (d) above.

Any person desiring to answer GMC's March 13 and March 20 amendments should file such answer with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C.

² See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

³ *Public Service Company of Colorado v. FERC*, 91 F. 3d 1478 (D.C. Cir. 1996), cert. denied, 65 U.S.L.W. 3751 and 3754 (May 12, 1997) (Nos. 96-954 and 96-1230).

⁴ See 82 FERC ¶ 61,059 (1998).

20426, on or before 15 days after the date of publication of this notice in the **Federal Register**, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 385.213, 385.215, 385.1101, and 385.1106).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9170 Filed 4-7-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Intent to File an Application for a New License

April 2, 1998.

a. *Type of filing:* Notice of Intent to File an Application for a New License.

b. *Project No.:* 401

c. *Date filed:* March 23, 1998

d. *Submitted By:* Indiana Michigan Power Company, current licensee

e. *Name of Project:* Mottville Hydroelectric Project

f. *Location:* On the St. Joseph River, in St. Joseph County, Michigan

g. *Filed Pursuant to:* Section 15 of the Federal Power Act, 18 CFR 16.6 of the Commission's regulations

h. *Effective date of current license:* February 1, 1978

i. *Expiration date of current license:* September 18, 2003

j. *The project consists of:* (1) a 20-foot-high, 846-foot-long dam comprising (a) a 241-foot-long spillway containing eight 7.5-foot-high by 22-foot-long Taintor gates and two 13-foot-high by 22-foot-long Taintor gates, and (b) a 4-foot fish ladder section; (2) a 378-acre reservoir at normal full pool elevation 771.0 feet m.s.l.; (3) an integral powerhouse containing four generating units with a total installed capacity of 1,715 kW; (4) transmission facilities; and (5) appurtenant facilities.

k. *Pursuant to 18 CFR 16.7, information on the project is available at:* Indiana Michigan Power Company, Hydro Generation, 13840 East Jefferson Road, Mishawaka, IN 46545, (219) 255-8946.

l. *FERC contact:* Tom Dean (202) 219-2778.

m. Pursuant to 18 CFR 16.9 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for

license for this project must be filed by September 18, 2001.

Linwood A. Watson, Jr.

Acting Secretary.

[FR Doc. 98-9158 Filed 4-7-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98-306-000]

KN Interstate Gas Transmission Company; Notice of Application

April 2, 1998

Take notice that on March 26, 1998, KN Interstate Gas Transmission Company (KN), P.O. Box 281304, Lakewood, Colorado 80228, filed in Docket No. CP98-306-000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon by transfer to Warren Energy Resources, Limited Partnership (Warren), the compression, treating and appurtenant facilities comprising its Pawnee Rock Station which is located in Rush County, Kansas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

KN states that, by abandoning the facilities to Warren, it would eliminate the expenses associated with the operation of the facilities without diminishing or abandoning the services available to the producers connected to Warren's Pawnee Rock gathering system.

KN requests that the Commission declare that the facilities are gathering facilities exempt from the Commission's jurisdiction under Section 1(b) of the Natural Gas Act.

Any person desiring to be heard or any person desiring to make any protest with reference to said application should on or before April 23, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene